

## REMARKS

### I. Status of the Application

Claims 1-20 are pending in this application. In the April 1, 2008 office action, the Examiner rejected claims 1-20 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,847,300 to Yee et al. ("Yee").

In this Response, applicants respectfully traverse the rejection of the claims in view of the following remarks.

### II. Yee Does Not Anticipate Claim 1

Claim 1 stands rejected as allegedly being anticipated by Yee. However, as will be discussed below in detail, Yee fails to disclose each and every element of claim 1.

Accordingly, it is respectfully submitted that the rejection of claim 1 over Yee is in error and should be withdrawn.

#### A. Claim 1

Claim 1 is directed to an arrangement for adjusting a time keeping function of a utility meter that includes at least one sensor and a processing circuit. The sensor is configured to detect a temperature at a location proximate a time keeping component. The time keeping component generates time signals at a rate that varies as a function of temperature. The at least one sensor is further configured to generate an output signal representative of the detected temperature. The processing circuit is configured to adjust at least one clock maintained by the time keeping function of the meter in dependence upon the output signal

from the at least one sensor.

Thus, the processing circuit adjusts a *clock* in dependence upon the sensed temperature information. This adjustment may be used to (at least partially) correct for the variance of time keeping function as a function of temperature. (See e.g. specification at p.3, line 14 to p.4, line 6).

B. Yee

Yee is directed to an electric power meter that includes a temperature sensor and a controller. The controller is operable, based on the temperature reported from the temperature sensor, to generate alarms when the temperature exceeds a threshold, and/or or to open a disconnect switch to shut off power to a load. The controller of Yee may also open the disconnect switch due to non-payment. (Yee at Abstract).

C. Yee Fails to Disclose or Suggest the Claimed Clock Adjustment

Yee fails to disclose or suggest, among other things, “a processing circuit configured to adjust at least one clock maintained by the time keeping function of the meter in dependence upon the output signal from the at least one sensor”, as claimed in claim 1.

The only clock or time keeping function discussed in Yee is the clock reference 118 of Fig. 1. However, Yee does not discuss temperature variance of that clock, much less an adjustment of that clock reference 118 in response to temperature. In particular, the clock reference 118 is briefly discussed in column 3, lines 43-52 of Yee, and then even more briefly at column 3, lines 53-56 and col. 4, lines 3-6. None of the above-cited passages in Yee

discuss temperature variance. Moreover, none of the above-cited passages of Yee discuss adjustment of the clock reference 118 for any reason, much less in response to a signal representative of (or derived from) sensed temperature information.

Yee simply does not disclose or suggest anything remotely related to such a clock adjustment. Accordingly, Yee does not disclose or suggest “a processing circuit configured to adjust at least one clock maintained by the time keeping function of the meter in dependence upon the output signal from the at least one sensor”, as claimed in claim 1. Because Yee fails to disclose the claimed clock adjustment, it is respectfully submitted that the rejection of Yee is in error and should be withdrawn.

#### D. The Examiner's Rejection

The Examiner has alleged the Yee teaches that the processing circuit is “configured to adjust at least one clock maintained by the time keeping function of the meter in dependence upon the output signal from the at least one sensor...” in Figure 1 of Yee. (Office action at p.3). However, Figure 1 of Yee merely shows a processing circuit 112 that is connected to the time reference 118 and a temperature sensor 114. Nothing in Figure 1 of Yee suggests that the processing circuit 112 is capable of adjusting the time reference 118, nor that the processing circuit 112 adjusts the time reference 118 in dependence on a signal from the sensor 114.

To the contrary, the text of Yee teaches that the temperature sensor information is used to determine whether to generate an alarm, or to shut down power to the load. (See, e.g. Yee at Abstract and col. 9, lines 1-19).

In any event, it is respectfully submitted that Fig. 1 of Yee does not disclose or suggest “a processing circuit configured to adjust at least one clock maintained by the time keeping function of the meter in dependence upon the output signal from the at least one sensor”, as claimed in claim 1.

E. Conclusion as to Claim 1

Because Yee does not teach “a processing circuit configured to adjust at least one clock maintained by the time keeping function of the meter in dependence upon the output signal from the at least one sensor”, Yee fails to teach each and every element of the invention of claim 1. As a consequence, it is respectfully submitted that the anticipation rejection of claim 1 is in error and should be withdrawn.

III. Claims 2-6

Claims 2-6 all stand rejected as allegedly being anticipated by Yee. Claims 2-6 all depend from and incorporate all of the limitations of claim 1. Accordingly, for at least the same reasons as those set forth above in connection with claim 1, it is respectfully submitted that the anticipation rejections of claims 2-6 are in error and should be withdrawn.

IV. The Rejection of Claim 7 is in Error

Claim 7 also stands rejected as allegedly being anticipated by Yee. Claim 7 is directed to an electricity meter that includes:

a processing circuit ... operable to ... adjust the real time clock information in dependence upon the output signal from the at least one sensor.

As discussed above, Yee does not teach adjusting any clock information, much less adjusting clock information in dependence on the output signal from a sensor.

Because Yee does not teach adjusting the clock based on sensor information, it is respectfully submitted that the rejection of claim 7 over Yee is in error and should be withdrawn.

V. Claims 8-18

Claims 8-18 all stand rejected as allegedly being anticipated by Yee. Claims 8-18 all depend from and incorporate all of the limitations of claim 7. Accordingly, for at least the same reasons as those set forth above in connection with claim 7, it is respectfully submitted that the anticipation rejections of claims 8-18 are in error and should be withdrawn.

VI. The Rejection of Claim 19 is in Error

Claim 19 also stands rejected as allegedly being anticipated by Yee. Claim 19 is directed to a method that includes a step of:

generating an output signal representative of the detected temperature; and  
adjusting at least one clock maintained by the time keeping function of the meter in  
dependence upon the output signal.

As discussed above, Yee does not teach adjusting any clock information, much less adjusting clock information in dependence on the output signal that is representative of temperature.

In the rejection of claim 19, the Examiner identified that the clock adjustment step was taught by Yee in step 423 of Fig. 4. (Office action at p.4). Step 423 of Fig. 4 of Yee contains the following text: "set variable temperature threshold". As discussed in col. 8, line 64 to col.

9, line 19, however, the “variable temperature threshold” is used only in determining whether to generate an alarm, or whether to shut off power to a customer load. Step 423 does not relate to clock information in *any* way, much less *adjustment* of clock information.

Because Yee does not teach adjusting the clock based on sensor information, it is respectfully submitted that the rejection of claim 19 over Yee is in error and should be withdrawn.

#### VII. Claim 20

Claim 20 stands rejected as allegedly being anticipated by Yee. Claim 20 depends from and incorporates all of the limitations of claim 19. Accordingly, for at least the same reasons as those set forth above in connection with claim 19, it is respectfully submitted that the anticipation rejection of claim 20 is in error and should be withdrawn.

VIII. Conclusion

For all of the foregoing reasons, it is respectfully submitted the applicant has made a patentable contribution to the art. Favorable reconsideration and allowance of this application is therefore respectfully requested.

In the event applicant has inadvertently overlooked the need for an extension of time or payment of an additional fee, the applicant conditionally petitions therefore, and authorizes any fee deficiency to be charged to deposit account 13-0014.

July 1, 2008

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Russ Fowler", with a long horizontal flourish extending to the right.

Russell E. Fowler II  
Attorney for Applicants  
Attorney Registration No. 43,615  
Maginot Moore & Beck  
Chase Tower  
111 Monument Circle, Suite 3250  
Indianapolis, Indiana 46204-5109  
Telephone: (317) 638-2922